

REMARKS

The Examiner has rejected Claims 1, 2, and 8 pursuant to 35 USC 102(b) as being anticipated by Richards. Applicant respectfully submits that the claimed invention is not anticipated by Richards. One of the main features of Applicant's invention is a central cantilever beam located at the apex of vertical support members. Richardson does not disclose or suggest a cantilever beam. Richardson teaches posts and rafter trusses a1, a2, a3 and b1 forming a structure with a ridge l, in contrast to the cantilever of Applicant's invention. Richardson states: "The posts b and g for the support of the rafter trusses a1, a2, a3, and b1 may be formed of rectangular cross section and from a number of boards which form the respective faces of the post. The upper ends of the posts b and g are adapted for the connection to the truss and the trusses are connected together by means of plates h at each side with bolts..." [Col. 2, lines 38-46].

A truss is defined as "a frame built from member in tension and compression" while a cantilever is defined as "a member which is fixed at one end and hanging free at the other end." [McGraw-Hill: *Dictionary of Scientific and Technical Terms* 1974] Applicant has created a structure which does not require trusses. Applicant's invention has the beauty of design simplicity and is much less expensive to manufacture than the type of structure disclosed in Richardson. All of Applicant's claims require the cantilever as an element.

Applicant has amended claims 1, 2 and 8. The shelter is particularly designed to store an airplane, although the shelter clearly can be used for other purposes e.g. to store other items or as a tent. The airplane is in the preamble of some of the claims to describe the setting for the

invention, with the invention being defined in some claims with reference to the airplane, but the airplane is clearly not required to infringe the claims. Claim 6 uses the term “plane”, but not as an abbreviation for “airplane”.

Applicant is uncertain as to why the Examiner believed there was no antecedent basis for “said shelter structure” in claim 1. Claim 1, line 6 states: “the cantilever beam attached to the upper portion of each one of said plurality of vertical support members, forms an upright, standing shelter structure with the cantilever beam, adapted to extend forwardly over the nose of the airplane.”

To overcome the obviousness-type double patenting objection based on Applicant’s U.S. Patent No. 6, 758, 230, Applicant is submitting a terminal disclaimer. Applicant respectfully request that Claims 1-10 be allowed or that the Examiner contact Applicant’s counsel for a telephone interview.

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Respectfully Submitted:



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